

Amendments to the Drawings:

The attached replacement sheet includes changes to Fig. 8 and replaces the original sheet including Fig. 8.

In Fig. 8, minor typographical errors have been corrected.

Attachments following last page of this Amendment:

Replacement Sheet (1 page)

Annotated Sheet Showing Change(s) (1 page)

### REMARKS

In response to the non-final Office Action of January 19, 2007, applicants ask that all claims be allowed in view of the amendment to the claims and the following remarks.

Claims 1,3, 5-8, 14, 16, 18-21, and 27-32 are pending, with claims 1, 14, 29, and 31 being independent.

### **Objections to the Specification**

The specification has been objected to for failing to define appropriately the acronyms ISP, PSTN, ISDN, and xDSL. Applicants have amended the specification to include parenthetical definitions of the acronyms ISP, PSTN, ISDN, and xDSL. In particular, applicants have amended the paragraph beginning at page 4, line 3 to define PSTN as "public switched telephone network," ISDN as "Integrated Services Digital Network," and xDSL as "digital subscriber line." In addition, applicants have amended the paragraph beginning at page 5, line 19 to define ISP as "Internet service provider."

Applicants note that the parenthetical definitions of the acronyms ISP, PSTN, ISDN, and xDSL incorporated into the specification are consistent with the definitions of the acronyms ISP, PSTN, ISDN, and xDSL provided in Webster's New World Computer Dictionary (Bryan Pfaffenberger ed., 9th ed. 2001).<sup>1</sup> In particular, Webster's New World Computer Dictionary defines ISP, PSTN, ISDN and xDSL as follows:

**ISP** Acronym for Internet service provider. Webster's New World Computer Dictionary at 203.

**PSTN** Acronym for public switched telephone network.  
Webster's New World Computer Dictionary at 303.

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<sup>1</sup> Applicants' citation to Webster's New World Computer Dictionary (Bryan Pfaffenberger ed., 9th ed. 2001) is intended merely to provide support for the parenthetical definitions of the acronyms ISP, PSTN, ISDN, and xDSL incorporated into the specification by this amendment. Importantly, applicants' citation to Webster's New World Computer Dictionary (Bryan Pfaffenberger ed., 9th ed. 2001) is not intended to limit the definitions of the acronyms ISP, PSTN, ISDN, and xDSL, the disclosure, or the claims in any manner, nor is applicants' citation to Webster's New World Computer Dictionary (Bryan Pfaffenberger ed., 9th ed. 2001) intended to concede the propriety of relying on Webster's New World Computer Dictionary (Bryan Pfaffenberger ed., 9th ed. 2001) for the purpose of construing any other terms in the claims or the disclosure.

**ISDN** Acronym for Integrated Services Digital Network.  
Webster's New World Computer Dictionary at 202.

**XDSL** Abbreviation that refers to several Digital Subscriber Line (DSL) technologies, including asymmetric digital subscriber line (ADSL). Webster's New World Computer Dictionary at 398.

The specification also has been objected to because the trademarked term LINUX™ appears in the specification but is not capitalized appropriately. Applicants have amended the paragraph beginning at page 5, line 19 to recite the trademarked term LINUX™ in ALL CAPS.

For the reasons noted above, applicants request withdrawal of the objections to the specification.

### **Objections to the Drawings**

An objection was made to the drawings for not complying with 37 C.F.R. § 1.84(p)(5) for failing to include reference numerals included in the specification. In particular, reference numerals 4906, 4908, 4910, and 5360 are included in the specification but do not appear in the drawings. Applicants have amended the specification to remove reference numerals 4906, 4908, 4910, and 5360 from the specification.

An objection also was made to the drawings because of minor typographical errors appearing in Fig. 8. By way of this amendment, applicants are submitting a replacement sheet that replaces the original sheet including Fig. 8 and that corrects the minor typographical errors appearing in original Fig. 8.

For the reasons noted above, applicants request withdrawal of the objections to the drawings.

### **Claim Rejections Under 35 U.S.C. § 102**

Claims 1, 3, 14, and 16 have been rejected under 35U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication Number 2003/0046296 (Doss). Applicant requests reconsideration and withdrawal of the rejection of claims 1, 3, 14, and 16 because Doss fails to

describe or suggest all of the subject matter of independent claims 1 and 14, as discussed more fully below.

Independent claim 1 has been amended to incorporate features previously recited in claim 4. As amended, independent claim 1 recites a graphical user interface that enables a user to access an instant messaging service. Among other features, the graphical user interface includes a window having a contacts list listing one or more other users of the instant messaging service and an icon associated with one of the other listed users indicating that an email message has been exchanged between the user and the other user.

Doss describes a calendar-enhanced instant messaging system in which information gleaned from a user's electronic calendars is used to provide more accurate presence information for the user in other users' instant messaging participant lists. See Doss at Abstract. More particularly, Doss describes maintaining an electronic calendar that tracks a user's schedule throughout the course of a day. The Doss system uses the schedule stored in the electronic calendar to update the user's presence and contact information in other users' instant messaging participant lists. See Doss at paragraphs [0015]-[0017]. For example, referring to FIG. 7, when a user hovers over a screen name listed in the user's instant messaging participant list, enhanced presence information for the screen name over which the user is hovering is provided based on information gleaned from the screen name's electronic calendar. In particular, as illustrated in FIG. 7, a status report that indicates whether the screen name is currently in the office, an immediate contact means that identifies a mechanism for immediately contacting the screen name, an e-mail status report that indicates whether the screen name is currently checking his/her email, a voice-mail status report that indicates how frequently the screen name is checking his/her voicemail, and an alternate contact identifying an individual to contact in place of the screen name are provided to a user when the user hovers over the screen name. See Doss at FIG. 7.

Importantly, however, Doss fails to describe or suggest displaying an icon in a user's instant messaging participant list that reflects that a communication has occurred between the user and any of the screen names listed in the user's instant messaging participant list.

Therefore, Doss fails to describe or suggest a graphical user interface that enables a user to access an instant messaging service and that includes a window having a contacts list listing one or more other users of the instant messaging service and an icon associated with one of the other listed users indicating that an email message has been exchanged between the user and the other user, as recited in independent claim 1.

As discussed above, independent claim 1 has been amended to incorporate features previously recited in cancelled claim 4. Cancelled claim 4 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Doss in view of U.S. Patent Application Publication Number 2005/0117733 (Widger). However, like Doss, Widger also fails to describe or suggest a graphical user interface that enables a user to access an instant messaging service and that includes a window having a contacts list listing one or more other users of the instant messaging service and an icon associated with one of the other listed users indicating that an email message has been exchanged between the user and the other user, as recited in independent claim 1.

Widger describes a system for managing communications, including telephone calls, to a user. See Widger at Abstract. FIG. 4 illustrates an example of a suitable display screen for Widger's system for managing communications. See Widger at paragraph [0038] and FIG. 4. Referring to FIG. 4, the display screen includes a variety of controls that enable a user to manage incoming telephone calls. See Widger at paragraph [0038] and FIG. 4. In addition, the display screen also includes a message notification portion having voice mail, fax mail, and email icons with associated numbers corresponding to the number of each type of message the user has received. See Widger at paragraph [0038] and FIG. 4. While the message notification portion includes an email icon indicating the number of emails the user has received, the email icon is not associated with another user listed in a contact list, nor does the email icon indicate that an email message has been exchanged between the user and another user listed in a contact list. Rather, the email icon merely reflects a total number of emails received by the user. Thus, Widger fails to describe or suggest a graphical user interface that includes a window having a contacts list listing one or more other users of the instant messaging service and an icon

associated with one of the other listed users indicating that an email message has been exchanged between the user and the other user, as recited in independent claim 1.

Accordingly, for at least the foregoing reasons, applicants request reconsideration and withdrawal of independent claim 1 and dependent claim 3. As amended, independent claim 14 recites features similar to those discussed above in connection with independent claim 1, and does so in the context of a method. Accordingly, for at least the reasons discussed above in connection with independent claim 1, applicants request reconsideration and withdrawal of the rejection of independent claim 14 and dependent claim 16.

### **Claim Rejections Under 35 U.S.C. § 103**

Claims 5-8 and 18-21, which depend from independent claims 1 and 14 respectively, have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Doss in view of Widger. However, as discussed above, none of Doss, Widger, or any proper combination of Doss and Widger describes all of the subject matter of amended independent claims 1 and 14. Therefore, applicants request reconsideration and withdrawal of the rejection of claims 5-8 and 18-21.

### **New Claims**

New dependent claims 27 and 28 depend from independent claims 1 and 14 respectively. Therefore, applicants submit that new dependent claims 27 and 28 are allowable at least for the reasons noted above in connection with independent claims 1 and 14.

New independent claim 29 recites features similar to those recited in cancelled claim 9. In particular, new independent claim 29 recites a graphical user interface that enables a user to access an instant messaging service. Among other features, the graphical user interface includes a window having a contacts list listing one or more other users of the instant messaging service and an icon associated with one of the other listed users that indicates that a calendar event has been scheduled that involves both the user and the other user and that enables determination by the user that the calendar event involves the other user.

Cancelled claim 9, which recited features similar to those now recited in new independent claim 29, was rejected under 35 U.S.C. § 102(e) as being anticipated by Doss. However, Doss does not describe or suggest an icon associated with one of the other listed users that indicates that a calendar event has been scheduled that involves both the user and the other listed user and that enables determination by the user that the calendar event involves the other user, as recited in new independent claim 29.

As discussed above, Doss describes a calendar-enhanced instant messaging system in which information gleaned from a user's electronic calendar is used to provide more accurate presence information for the user in other users' instant messaging participant lists. See Doss at Abstract. Although Doss describes providing more accurate presence information for a user based on that user's electronic calendar, Doss simply does not describe or suggest an icon associated with one of the other listed users that indicates that a calendar event has been scheduled that involves both the user and the other listed user and that enables determination by the user that the calendar event involves the other user, as recited in new independent claim 29.

Accordingly, for at least this reason, applicants submit that new independent claim 29 is allowable. New independent claim 31 recites features similar to those discussed above in connection with new independent claim 29 and does so in the context of a method. Therefore, for at least the reasons noted above in connection with new independent claim 29, applicants submit that new independent claim 31 is allowable.

## Conclusion

Applicants submit that all claims are in condition for allowance.

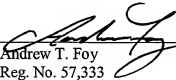
It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue, or comment does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this reply should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this reply, and the

amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

The fee in the amount of \$520 in payment of the Petition for One-month Extension of Time (\$120) and the Excess Claim Fee (\$400) is being paid concurrently herewith by way of the Electronic Filing System (EFS). Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: May 21, 2007

  
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